



STREET VACATION PROCEDURE

Also used for Street Closures, Right-of-Way Vacation/Closure and Name Changes

APPLICATION REQUIREMENTS

Sandy City Community Development Department

10000 Centennial Parkway, Sandy, UT 84070,

TEL# (801) 568-7250, FAX# (801) 568-7278

INFORMATION REQUIRED FOR A COMPLETE SUBMITTAL

1. _____ **Completed General Development Application Form**
2. _____ **Legal Description** of proposed street to be vacated or closed. Legal Description should be accompanied by a drawing showing the boundaries of the area proposed to be vacated/closed.
3. _____ **Name Change.** For requests to change the name of the street, you must submit a letter from the County Recorder approving the proposed street name.
4. _____ **Letter Describing the Proposed Street Vacation/Closure** and reasons or justifications for the granting the request. The letter should address why the Vacation/Closure will not be contrary to the City's General Plan (including the Transportation Element), and contrary to the City's Land Development Code.
5. _____ **Other Information** which will aid the Planning Commission in making a recommendation to the City Council (as may be determined by the Planning Staff):
6. _____ **Copy of SIDWELL Property Plat** of the area (where applicable). This information is available from the Salt Lake County Recorder's Office located at 2001 South State Street, Government Center, North Building, Salt Lake City, UT.
7. _____ **Names and Addresses of all Property Owners of Current Record**, including your own, who are immediately adjacent to the proposed street to be vacated/closed, **typed on mailing labels**. (This information is also available from the Salt Lake County Recorder's Office).
8. **Filing Fee:** ____ **\$30.00**

Procedure:

1. Utah State Law governs the procedure by which a public street or right-of-way may be vacated, closed or have its' name changed. State Law also specifies the method of public notice, and who must be noticed. This may be found at 10-8-8.1 through 10-8-8.5 of the Utah Code.
2. Staff reviews the request, including the City's Transportation Engineer and City Surveyor, and makes a recommendation to the Planning Commission and City Council.
3. The City notifies in writing all owners or operators of underground facilities and utility facilities who have facilities within the boundaries of the street to be vacated, closed or name changed.
4. The Planning Commission holds a public meeting to consider the Vacation/Closure/Name Change, and forwards a recommendation to the City Council. When making a recommendation to the City Council, they will have considered if: a) that there is good cause for the action; and b) the action will not be detrimental to the public interest. (See Utah Code section 10-8-8.1)

5. If required, a Public Notice of the Public Hearing is published. Public Notices are required if all adjacent property owners of the subject street have not jointly filed the application for street vacation/closure/name change. The Public Notice must run in the newspaper once a week for four consecutive weeks prior to the hearing date (see Utah Code sec. 10-8-8.3 and 8.4)
6. The City Council holds a public hearing to consider the Vacation/Closure/Name Change request. At the Hearing, they may take one of four actions: 1) approve the request as a "vacation"; 2) approve the request as a "closure"; 3) remand the request to the Planning Commission or staff for further research and study; or 4) deny the request (the street remains public and is not vacated or closed). In the case of a Street Name Change, they may either approve the name change, deny the name change, or remand to the Planning Commission for further study
7. If the Street or Right-of-Way is "Vacated", then new legal descriptions are prepared by the City Surveyor to deed the street equally between all abutting property owners to the centerline of the street. The new legal descriptions are attached as an exhibit to the ordinance adopted by the City Council approving the Vacation.
8. If the Street or Right-of-Way is "Closed", the legal description is attached as an exhibit to the ordinance adopted by the City Council approving the Closure. The street becomes Real Property that can be sold, or developed. Closed streets are often sold to interested persons at market value.
9. If the Name of the Street is changed, the old and new names will appear as an exhibit, along with a legal description of the section of street to be renamed as an exhibit to the ordinance approving the change.
10. The Ordinance adopting the street vacation/closure/name change is recorded with the Salt Lake County Recorder. If recorded as a Vacation, then legal descriptions for adjacent properties will be amended to include the adjacent portion of the street. The County Tax Maps will be amended to reflect the change, and the wording "Vacated" will generally appear on the maps, often with the ordinance number adopting the vacation. If recorded as a Closure, the County will assign a parcel tax identification number, and the City may then sell or transfer the real property, or keep the property for other public uses. If recorded as a Name Change, the county will notify the Post Office of the new street name, and Sandy City will erect new street signs to reflect the new street name.
11. For street name changes. If the street name being changed was originally a coordinate name (i.e., 9400 South), the new street sign will include the street coordinate in addition to the new street name. Typically the coordinate will be in a smaller font and appear subordinate to the new name. For name changes from all other types, only the new name will appear, along with the appropriate coordinate (if applicable).
12. Street Vacation/Closure/ Name Changes generally take 8-12 weeks to process. The process can be shorter or longer, depending on the request and the issues raised at hearing.